

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of Corruption against Sri Syed Khursheed Ahmed, Town Planning Building Overseer (TPBO), formerly at Mahabubnagar Municipality, Mahabubnagar District - Sanction of Prosecution Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.I) DEPARTMENT

G.O.Ms.No. 177

Dated: 22-04-2010

ORDER:

Whereas Sri Syed Khursheed Ahmed worked as Town Planning Building Overseer (TPBO) at Mahabubnagar Municipality of Mahabubnagar District from 15-7-2008 to 22-6-2009 and by virtue of the post held by him, he falls under the category of Public Servant as defined under section 2 (c) of P.C.Act, 1988 (Central Act 49 of 1988).

2. And Whereas it is alleged that Sri Md.Saladin S/o Abubakar, age: 37 years, Occu: Private Service, R/o H.No.1-7-241/A/411, Nalbuouli, Mahabubnagar, has purchased a house at Mahabubnagar town on the name of his wife Smt. Raheemunnisa in the year 2008. As the said house got only (2) rooms and he intended to construct some more rooms. In this regard, he approached the Municipal Office, Mahabubnagar and submitted a petition on the name of his wife enclosing relevant documents to Sri Syed Khursheed Ahmed, TPBO at Town Planning section, Mahabubnagar on 2.6.2009. Sri Syed Khursheed Ahmed, TPBO, visited his house on the same day, took the measurements etc., and asked him to pay permit fee and tax in respect of the house. Accordingly, Sri Md.Sujauddin paid the house Tax of Rs.6000/- and Rs.5,200/- towards permission fee on the same day i.e., on 2.6.2009. Subsequently, when he met Sri Syed Khursheed Ahmed, TPBO on 3.6.2009 and requested to see that the permission for construction of house is issued, Sri Syed Khursheed Ahmed, TPBO demanded an amount of Rs.4000/- as bribe for getting the permission sanctioned by concerned authorities. When Sri Md.Sujauddin pleaded his inability to pay such amount as bribe, Sri Syed Khursheed Ahmed, TPBO insisted for payment of bribe. Again on 17.6.2009, Sri Md.Sujauddin once again met Sri Syed Khursheed Ahmed, TPBO and enquired about his building permission, Sri Syed Khursheed Ahmed, TPBO again asked for payment of demanded bribe of Rs.4000/- for getting the permission. When Sri Md.Sujauddin, pleaded his inability to pay such huge sum as bribe, finally Sri Syed Khursheed Ahmed TPBO scaled down his demand of bribe to Rs.2,500/- and threatened that if the demanded bribe of Rs.2,500/- was not paid, he will not get his building permission at all. As there was no other go, Sri Md.Sujauddin agreed for the demand of Sri.Syed Khursheed Ahmed, TPBO and informed him that he shall meet him with demanded bribe amount of Rs.2,500/- within 2 or 3 days after procuring the same.

As Sri Md.Sujauddin complainant was not willing to pay the bribe to Sri Syed Khursheed Ahmed, TPBO. But, if the bribe amount of Rs.2,500/- is not paid to Sri Syed Khursheed Ahmed, TPBO, his work will not be completed. Hence, Sri Md.Sujauddin lodged the petition with Deputy Superintendent of Police, ACB, Hyderabad Range, Hyderabad on 19-6-2009. After verifying the facts of the complaint, as well as reputation of Accused Officer etc., the DSP ACB, Hyderabad has registered a case in Cr.No.12/ACB-HR/2009, u/s of PC Act of 1988 on 22.6.2009 at 08:15 hours and investigated into.

3. And Whereas as on 22-6-2009, i.e., on the date of trap, at about 12:25 Hours, when Sri Mohd. Saladin, entered into the TPO Section at Municipal Office, Mahabubnagar and found Sri Syed Khursheed Ahmed, TPBO sitting in a chair across the table. On seeing him, Sri Syed Khursheed Ahmed welcomed him and enquired whether the demanded bribe of Rs.2,500/- was brought. On his affirmative reply, Sri Syed Khursheed Ahmed called the Public health Worker Sri D.Nagabhushanam, who was standing near the table of Sri Khursheed and asked Sri D.Nagabhushanam Public Health Worker to accept the bribe amount from Sri Mohd Sujauddin and also directed Sri Mohd Sujauddin to pay the amount to Sri D.Nagabhushanam, Public Health Worker. Sri Mohd Sujauddin, removed the tainted bribe amount from the right side hip pocket of his pant and offered the same to Sri D.Nagabhushanam, PHW as instructed by Sri Syed khursheed Ahmed, who accepted the bribe amount with his right hand, counted the same with his both hands and informed to Sri Syed Khursheed Ahmed, TPBO that the amount was 2,500/-. On which Sri Syed Kursheed Ahmed asked the PHW Sri D.Nagabhushanam to keep the money with him only and that he will take them later. On which the Public Health Worker, Sri D.Nagabhushanam kept the bunch of currency notes in his left side pant pocket with his left hand and started talking to Syed Khursheed Ahmed standing by the side his table. The Phenolphthalein test conducted over both the hand fingers of Sri D.Nagabhushanam, PHW yielded positive result.

The tainted currency of Rs.2,500/- was recovered at the instance and from the possession of Sri D.Nagabhushanam, Public Health Worker from his left side pant pocket. The inner flap of left side pant pocket of Sri D.Nagabhushanam, PHW which came into contact with the tainted currency, when subjected to Phenolphthalein test also yielded positive result.

4. And Whereas the said act of Sri Syed Khursheed Ahmed, Town Planning Building Overseer of Mahabubnagar Municipality, constitute the offences punishable U/s 7 & 13 (2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988.

5. And Whereas the Government of Andhra Pradesh, being the Competent Authority to remove Sri Syed Khursheed Ahmed, from service, after fully and carefully examining the material consisting of FIR, Pre and post trap proceedings and other official favour documents placed before them and having applied their mind to the facts and circumstances of the case consider that the said Sri Syed Khursheed Ahmed, Town Planning Building Overseer, Mahabubnagar Municipality of Mahabubnagar District should be prosecuted in a Court of Law for the aforesaid offences.

6. Now, therefore, in exercise of the powers conferred under Clause (b) of Sub-Section (1) of Sec. 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction of the prosecution of the said Sri Syed Khursheed Ahmed, Town Planning Building Overseer of Mahabubnagar Municipality, Mahabubnagar District, for the above said offences punishable U/s 7 & 13 (2) r/w 13 (1) (d) of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any provisions of Law for the time being in force and for taking cognizance of the said acts by a Court of Competent Jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(T.S.APPA RAO)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
A.P., Hyderabad.